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PUBLIC PROTECTION CABINET DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

1003 Twilight Trail Frankfort, KY 40601 502-564-4850 502-564-7479 (fax) abc.ky.gov

LICENSING

1. How do I apply for a license?

Below are links to five different application packets. Please read the instructions carefully.

Basic Application Packet and Instructions

The Basic Application is used for most alcoholic beverage licenses. A license type not listed on the Basic Application may be listed on one of the other applications below.

Temporary License Application Packet and Instructions

The Temporary License Application is used for a non-profit charitable organization, racing association, civic event, or political campaign function.

Out-of-State License Application Packet and Instructions

The Out-of-State License Application is used for a Special Agent's or Solicitor's, Out-of-State Distilled Spirits/Wine Producer/Supplier's, Limited Out-of-State Producer/Supplier's, Spirits/Wine Micro Out-of-State Distilled Distilled Spirits/Wine Producer/Supplier's, Out-of-State Malt Beverage Producer/Supplier's. Out-of-State Limited Malt Beverage or Producer/Supplier's license.

Supplemental Application Packet and Instructions

The Supplemental Application is used when an existing license holder desires a supplemental license such as for Extended Hours, Supplemental Bar, Special Sunday Sales, or Sampling.

Basic Application for Master File System Packet and Instructions

The Basic Application for Master File is used when a business which has three or more licensed Kentucky premises desires an abbreviated Master File System.



2. How do I know if a license is active or expired?

The Online License Lookup link may be used to find out whether a license is active or expired.

3. Is my county or city wet, moist, or dry?

The Wet-Moist-Dry County-City List is a list of wet, moist, and dry territories in Kentucky.

4. How do I request a duplicate license or change the Doing Business As (DBA) name on my license?

A duplicate license is required if your license is lost or destroyed, if the Doing Business As (DBA) name is changed, or if the address of your licensed premises is changed. A request for a duplicate license must be in writing. The cost is \$25.00. It must be paid at the time of your request (see Remittance Form).

Fax your request for a duplicate license (502-564-1442) or mail it to the address below. Give your name, e-mail address, fax number, business address, business name, and site identification number. Indicate whether you wish to receive your duplicate license by e-mail, fax, or United States Mail.

Kentucky Department of Alcoholic Beverage Control 1003 Twilight Trail Frankfort, KY 40601

5. How do I surrender my license?

Fill out the <u>Surrender License Form</u> and sign it in the presence of a notary. Send the completed Surrender License Form and the license being surrendered to ABC at the address on the form.

If you do this in person at ABC, one of our notaries can witness your signature at no cost.

Kentucky Revised Statutes - Chapter 243

6. I bought a business and have applied for my own license. Can I use the seller's license while waiting to get my own?

No. See <u>KRS 243.020(1)</u>. It is illegal to sell alcoholic beverages on a license belonging to another. The buyer of a business is prohibited from using the seller's license. Also, the seller of a business is prohibited from letting the buyer use the seller's license.



7. Does my criminal history disqualify me from having a license?

See <u>KRS 243.100</u>. Count back five years from today's date. Was the conviction for a felony of any kind? If so, you are disqualified until five years have passed. Next, count back two years from today's date. Was the conviction for any drug misdemeanor described in <u>KRS 218A.050</u> through <u>KRS 218A.130</u>? If so, you are disqualified until two years have passed. Was the conviction for any misdemeanor directly or indirectly attributable to the use of alcoholic beverages? If so, you are disqualified until two years have passed.

8. How do I contact my local ABC administrator?

The links below may be used to obtain contact information: City ABC Administrators

County ABC Administrators

9. How do I find out if there are any Quota Retail Package or Quota Retail Drink licenses available in my county or city?

This information can be obtained by e-mailing sonya.semones@ky.gov.

10. How do I place my active Quota Retail Package or Quota Retail Drink license in dormancy?

A quota license holder who satisfies the <u>804 KAR 4:110</u> conditions for dormancy may apply using the Dormancy Request form. The Kentucky Alcoholic Beverage Control Board determines whether to let a quota license be placed in dormancy for up to 12 months. The Board may extend dormancy once for up to an additional 12 months.

11. How do I renew my dormant Quota Retail Package or Quota Retail drink license? See the Dormancy Request link.

12. How do I obtain my criminal history check?

See the Background Checks link.

13. How do I apply for a Transporter's license?

See the Basic Application packet.



- 14. Does the Transporter's license cover malt beverages, wine, and distilled spirits? Yes. The Transporter's license is a combination license that covers pick-up, drop-off, and driving through Kentucky with any type of alcoholic beverage as the load.
- 15. May a broker obtain a Transporter's license in Kentucky and allow other common carriers to use that license for loads they have been hired to haul?
 No. Each common carrier must apply for and obtain its own license. A broker cannot share a license with any other common carrier.

16. Are alcohol sales allowed on Election Day?

State law permits alcohol sales on any Election Day. However, a county or city has authority to enact a local ordinance prohibiting alcohol sales on any Election Day. It is the responsibility of the license holder to find out whether Election Day alcohol sales are restricted by local ordinance. Use the following links to find contact information for your local ABC administrator. Contact your local ABC administrator about Election Day alcohol sales restrictions:

City ABC Administrators

County ABC Administrators

17. May I buy or sell brands of alcoholic beverages which have not been registered in Kentucky?

No. See KRS 244.440, 804 KAR 4:240, and KRS 244.585(3).

18. Which form do I use to register malt beverages?

Use ABC Form 714 to register malt beverages.

The completed ABC Form 714 may be e-mailed to abc.malt@ky.gov or mailed to:

Kentucky Department of Alcoholic Beverage Control 1003 Twilight Trail Frankfort, KY 40601



19. Which form do I use to register distilled spirits and wine?

Use ABC Form 715 to register distilled spirits and wine.

The completed ABC Form 715 may be emailed to <u>Jeremy.Blackburn@ky.gov</u> or Tamara.Hawkins@ky.gov, or mailed to:

Kentucky Department of Alcoholic Beverage Control 1003 Twilight Trail Frankfort, KY 40601

20. How do I find out which malt beverage brands are registered in Kentucky already?

The <u>Brands</u> link is available to find out which malt beverage brands are registered in Kentucky. If a brand is not registered and does not appear on online (<u>Brands</u>), it may not be ordered by Wholesalers or Distributors and may not be sold by retailers.

LICENSE RENEWAL

1. Do I need to fill out the entire renewal form?

Each line in Section 4 must be completed. Any question that does not apply must be answered N/A. If there is a Hold-Delay, the renewal application and payment are due 30 days before the existing license expires because it may take that long to clear.

2. How do I renew my license?

- Online If you have your renewal notice with a user name and password, you may register online by using the Online Renewal link.
- Fax Send your signed and completed renewal application form along with <u>Remittance Form</u> by fax to 502-564-1442.
- Mail Send your signed and completed renewal application form along with <u>Remittance Form</u> or personal check, business check, cashier's check, or money order made payable to the Kentucky State Treasurer to:

Kentucky Department of Alcoholic Beverage Control 1003 Twilight Trail Frankfort, KY 40601



 Walk-in – Bring your signed and completed renewal application form along with <u>Remittance Form</u> or personal check, business check, cashier's check, or money order made payable to the Kentucky State Treasurer to:

> Kentucky Department of Alcoholic Beverage Control 1003 Twilight Trail Frankfort, KY 40601

3. Which forms of payment are accepted?

Pay with a personal check, cashier's check, business check, money order, credit card, or EFT made payable to the Kentucky State Treasurer. To pay by credit card or EFT bank draft, fill out and return a Remittance Form with your completed renewal application form.

4. Should I send in my payment and renewal application form even though I have a Hold – Delay indicated in Section 2 of my renewal application form?

Yes. The Kentucky Department of Alcoholic Beverage Control must receive your completed renewal form and full payment not later than 30 days after your license expires. A license holder who does not renew or attempt to renew by 30 days after expiration will not be permitted to renew later and must instead apply for a new license.

5. Who has to sign the back of the license renewal application?

The license renewal application must be signed by an owner or officer who is listed on the initial application or renewal application that was filed for the existing license.

6. I have several different licenses. May I cancel one of them while renewing the others?

Yes. Indicate on the renewal application form which license you wish to cancel. The <u>Surrender License Form</u> is available if you wish to cancel a license at any other time.

7. May I change the mailing address on my renewal application form?

Yes. Clearly mark the change of mailing address on the renewal application form.

8. May I pay my city or county renewal application fees to the state ABC office?



9. How much is my renewal application fee?

The renewal application fee is based on the type(s) of license(s) you hold. The total fee is on the renewal application form. The <u>List of License Types and Fees</u> may be used to determine the cost of a particular license.

10. Is there a late fee if I do not renew on time?

There is no late fee for a late renewal application. The Kentucky Department of Alcoholic Beverage Control must receive your completed renewal form and full payment not later than 30 days after your license expires. A license holder who does not renew or attempt to renew by 30 days after expiration will not be permitted to renew later and must instead apply for a new license.

11. When will my renewal application form be mailed to me?

Renewal applications are mailed about six weeks before existing licenses expire.

12. When will I receive my renewed license in the mail?

Your license will be mailed on the same day that the processing of it is completed.

EDUCATION

1. I lost or misplaced my S.T.A.R. training certificate. How do I get a duplicate?

The Kentucky Department of Alcoholic Beverage Control's Education Branch can e-mail or fax a duplicate of your S.T.A.R. training certificate to you. To request a duplicate certificate, e-mail AmandaF.Bryant@ky.gov or call 502-564-4850 and ask for the Education Branch.

A S.T.A.R. training certificate is valid for three years. There is no fee to obtain a duplicate certificate.

2. How much does the S.T.A.R. class cost?

The class costs \$35 per person. It must be pre-paid in full at the time of registration.

3. How long is the S.T.A.R. class?

The class lasts four hours. Two 10-minute breaks are included.

4. Is server training required?

Kentucky state law does not require server training. However, by local ordinances many counties and cities require server training. The Kentucky Department of Alcoholic Beverage Control recommends its S.T.A.R. course for all who serve or sell alcohol.



The <u>Areas with Mandated Server Training</u> link may be used to view a list of locations in Kentucky where server training is required by local ordinance.

5. When is the next S.T.A.R. class in my area?

The <u>S.T.A.R. Class Calendar and Registration</u> link may be used to find the date and time of the next class in your area.

6. What if a S.T.A.R. class is not offered where I live?

The Kentucky Department of Alcoholic Beverage Control holds S.T.A.R. classes in as many places as possible in the hope of making the training more accessible. Therefore, S.T.A.R. classes are regularly offered in the following areas:

Ashland Frankfort Maysville Mt. Sterling Cadiz Hardinsburg Cave City Hazard Murray Campbellsville Hopkinsville Owensboro Corbin La Grange Paducah Danville Lexington Prestonsburg Elizabethtown London Princeton Louisville Florence Somerset

The <u>S.T.A.R. Class Calendar and Registration</u> link may be used to find or register for a class in one of the areas listed above.

7. Does everyone in my store or restaurant have to be trained, including hostesses and kitchen staff?

All persons who sell alcohol, serve alcohol, take orders for alcohol, collect payment for alcohol, or handle alcohol in any way must be S.T.A.R. trained if the Kentucky Alcoholic Beverage Control Board orders S.T.A.R. training in connection with a violation of law, or if the license holder agrees to S.T.A.R. training in connection with settling a charged violation of law. Employees who do not sell alcohol, serve alcohol, take orders for alcohol, collect payment for alcohol, or handle alcohol in any way are not required to S.T.A.R. train under those circumstances.

If the Kentucky Alcoholic Beverage Control Board orders S.T.A.R. training or if a license holder signs a settlement agreement for S.T.A.R. training, the license holder and all employees must comply with the registration and training requirements. A license holder who fails to fully comply with ordered or agreed to S.T.A.R. training is subject to an administrative complaint, a hearing, and a possible license suspension or revocation.

If a local ordinance requires server training, contact the county or city administrator to find out whether employees such as hostesses and kitchen staff must be trained.



The links below may be used to obtain local administrator contact information:

City ABC Administrators

County ABC Administrators

8. How do I register for a class?

You may register online at this link: <u>S.T.A.R. Class Calendar and Registration</u>.

If you prefer to send a printed version of the registration form by fax, e-mail, or United States Mail, you may print a <u>S.T.A.R. Class Registration Form</u> and mail it to ABC. Our address is:

KENTUCKY DEPT OF ALCOHOLIC BEVERAGE CONTROL

Attn: Education Branch 1003 Twilight Trail Frankfort, Kentucky 40601-8400 502-564-7479 fax AmandaF.Bryant@ky.gov

9. I took the class but have not received my certificate.

Usually a certificate is sent about two weeks after a person takes the S.T.A.R. class. If it has been longer than two weeks, e-mail AmandaF.Bryant@ky.gov or call 502-564-4850 and ask for the Education Branch. Your certificate may be e-mailed or faxed to you.

10. Is S.T.A.R. training offered online?

No. S.T.A.R. training is not offered online at this time. The Education Department hopes to offer online S.T.A.R. training in the near future.

11. Do I have to take the S.T.A.R. class, or are other programs such as TIPS accepted?

TIPS or other program training cannot be substituted for S.T.A.R. training required by the Kentucky Alcoholic Beverage Control Board or agreed to by a license holder in connection with a violation of law charged by the Kentucky Department of Alcoholic Beverage Control.

The kind of server training required by a county or city is determined by local ordinance. The links below may be used to obtain the contact information of your local ABC administrators:

City ABC Administrators

County ABC Administrators



12. How long does it take to get my certificate in the mail?

Usually a certificate is sent about two weeks after a person takes the S.T.A.R. class. If it has been longer than two weeks, e-mail AmandaF.Bryant@ky.gov or call 502-564-4850 and ask for the Education Branch. Your certificate may be e-mailed or faxed to you.

13. May I serve or sell alcohol before my certificate arrives in the mail?

The links provided below may be used to find contact information for your local administrator. Ask your local ABC administrator about local ordinances.

City ABC Administrators

County ABC Administrators

14. The online S.T.A.R. registration page keeps directing me to the ABC Law Book order page. What should I do?

Usually when this happens it involves the use of Internet Explorer 10. Press and release the "alt" key to display the menu bar, select "compatibility view" under the tools menu, and close and reopen the website. If the problem persists, e-mail AmandaF.Bryant@ky.gov or call 502-564-4850 and ask for her.

15. My new S.T.A.R. certificate looks different than my old one.

The S.T.A.R. certificate was updated recently. The new certificate is full page black and white. Wallet size certificates are no longer available.

16. I am running late for my S.T.A.R. class. Is this okay?

If you are going to be late for your S.T.A.R. course, contact our office so that we can notify the instructor. It is for the instructor to decide whether you may take the course after arriving late or must reschedule.

17. How do I reschedule my S.T.A.R. class?

To reschedule your S.T.A.R. class, contact <u>AmandaF.Bryant@ky.gov</u> or call 502-564-4850 and ask for the Education Branch.

18. I missed or forgot my S.T.A.R. class. May I reschedule?

Yes. You may reschedule. However, if our office was not notified before the class S.T.A.R.t time that you would not attend, your training fee is forfeited and the fee must be paid again at the time you re-register for a rescheduled class.



19. May a new employee replace a former employee who had been registered?

Yes. A new employee may replace a former employee who had been registered. To make the change, call 502-564-4850, ask for the Education Branch, and give the new employee's information before the date scheduled for the class.

20. How do I set up a private S.T.A.R. class?

Private classes are available to businesses that train 15 or more employees. Private classes may be held on any of the seven days of the week, as early as 7:00 a.m. and as late as 7:00 p.m. To schedule a private class, e-mail AmandaF.Bryant@ky.gov or call 502-564-4850 and ask for the Education Branch.

21. May I register for a class that is no longer on the website?

No. If a class is no longer listed on the S.T.A.R. registration website calendar, it means that class is filled. Nobody else can register for that class.

22. What is Medical Amnesty?

The Medical Amnesty law is designed to encourage minors (persons under age 21) to immediately seek emergency medical attention if they or others have consumed a dangerous amount of alcohol. The law provides for immunity from criminal prosecution for alcohol intoxication, drinking in a public place, possession of alcoholic beverages by a minor under the age of 21, and providing alcohol to a minor, only if the person reporting cooperates fully with emergency medical assistance personnel and law enforcement officers.

Medical amnesty laws are not designed or intended to immunize from punishment minors who simply drink alcohol. See KRS 244.992.

ENFORCEMENT

1. How old must a person be to sell beer by the package at a grocery or convenience store?

A person at least 18 years old may stock, arrange displays, accept payment for, and sack malt beverages by the package, under the supervision of a person at least 20 years old. See KRS 244.087. A grocery or convenience store employee person must be at least 20 years old to sell malt beverages by the drink. See KRS 244.090.



2. How old must a person (server, waiter, waitress, bartender, etc.) be to serve or accept payment for alcoholic beverages by the drink?

A person must be at least 20 years old to sell or accept payment for distilled spirits, wine, or malt beverages by the drink. See KRS 244.090.

3. Do I need an alcohol license to sell commemorative or collector liquor bottles that contain alcohol?

Yes. <u>KRS 243.020</u> requires a license to sell alcohol even when it is in a commemorative or collector bottle.

4. May alcoholic beverages be donated to a charitable group?

A licensed producer, wholesaler, distributor, or retailer may donate distilled spirits and wine but not malt beverages to a charity which holds a Special Temporary Distilled Spirits and Wine Auction License. A charity that holds this license may auction distilled spirits and wine but not sell or give it away. See KRS 243.036.

5. May alcohol be sold to a person who is age 21 or older but whose driver's license is vertical because it was issued before the person turned 21?

Yes. The purchaser must be at least 21 years old. See KRS 244.085.

6. How old must a person be to buy alcohol?

A person must be at least 21 years old to buy, consume, or possess an alcoholic beverage. See <u>KRS 244.085</u>.

7. How old must a person be to buy tobacco products or e-cigarettes?

A person must be at least 18 years old to buy, use, or possess a tobacco product or ecigarette. See KRS 438.310 and KRS 438.350. A person must be at least 21 years old to enter a tobacco outlet or smoke shop that sells alcohol by the drink, even if it is only to buy a tobacco product or e-cigarette. See KRS 244.085.

8. How old must a person be to sell tobacco products or e-cigarettes?

There is no minimum age to sell tobacco products or e-cigarettes. However, if the business is licensed to sell alcohol, employees must meet the minimum age requirement for selling alcohol.

9. Does Kentucky issue licenses to sell tobacco products?

No. There is no tobacco retailer licensing in Kentucky.



10. May I advertise an "all you can drink" promotion?

No. See KRS 244.050, 244.080, and 804 KAR 1:100. All You Can Drink.pdf

11. May I make my own distilled spirits, moonshine, or ethanol?

No. Neither federal law nor Kentucky state law lets a person make his own distilled spirits, moonshine, or ethanol.

12. May I make my own beer or wine?

Yes. Kentucky state law follows federal law in letting a person make beer or wine for personal consumption. An adult is permitted to produce beer or wine for personal or family use but not for sale. The aggregate amount of beer or wine that can be produced in any household must not exceed 200 gallons per calendar year if there are two or more adults in the household, or 100 gallons per calendar year if there is only one adult in the household. See 26 U.S.C. § 5042

13. May I make payments on my tobacco fine?

You may be allowed to make payments on your tobacco fine. Send your request to the Kentucky Department of Alcoholic Beverage Control, Tobacco Enforcement Division, 1003 Twilight Trail, Frankfort, Kentucky 40601, or e-mail tonya.green@ky.gov, or call 502-564-4850 or toll free 888-847-7222 and ask for the Tobacco Enforcement Division.

14. May I pay my tobacco fine over the telephone?

Yes. A tobacco fine may be paid by credit card (a 2% convenience fee will be added) or by electronic funds transfer (EFT - no convenience fee). Call our office at 502-564-4850 or toll free 888-847-7222 and ask for the Tobacco Enforcement Division.

To pay by credit card, be prepared to give the following information:

your Tobacco Administrative Citation number your name as it appears on credit card your telephone number your billing address your credit card account number your credit card's expiration date (month and year) your type of credit card (VISA, Mastercard, Discover) the amount of payment

To pay by electronic funds transfer (EFT), be prepared to give the following information:

your Tobacco Administrative Citation number your bank name
your routing number
your checking account number



15. What are the requirements to post my license name and number on my storefront?

The name of the license holder and the license numbers must be displayed on the window using letters and numbers not less than three inches in height. They must be visible from the street. See <u>KRS 244.360</u>.

